

WRITTEN STATEMENT PER 37 C.F.R. § 1.133(b) REGARDING
SUBSTANCE OF SEPTEMBER 15, 2010, APPLICANT
INITIATED TELEPHONE INTERVIEW WITH THE EXAMINER

Applicant appreciates the opportunity to discuss the rejections in this application with Examiner Joshua D. Taylor and Supervisory Patent Examiner Joseph P. Hirl in the telephone interview on September 15, 2010. In accordance with the requirements of 37 C.F.R. § 1.113(b), and the Manual of Patent Examining Procedure (MPEP) § 713.04, Applicant provides the following written statement of the reasons presented at the interview as warranting favorable action.

Those participating in the interview were Examiner Taylor, Supervisory Examiner Hirl, the undersigned attorney of record Thomas F. Lebens, and attorney Shirin Tefagh. No exhibits were shown or discussed. Independent claims 1, 10, 15 and 16 were discussed during the interview. The prior art discussed was U.S. Publication No. 2004/0117831 to Ellis et al., U.S. Publication No. 2005/0278741 to Robarts et al., and U.S. Publication No. 2005/0102696 to Westberg. The following is a brief summary of the interview, which was initiated by the Applicant.

The distinction of the claims over Ellis, Robarts and Westberg were discussed. Specifically, the arguments and amendments presented in Applicant's proposed response submitted along with the Interview request form were discussed pointing out the distinctions between Applicant's present claims and the prior art references. Applicants' representatives pointed out that the prior art references fail to describe or suggest each limitation as recited in the proposed amended claims. The Examiner stated that the proposed amendments and arguments appeared to overcome the above references. Supervisory Examiner Hirl then further pointed to possible claim subject matter in the present application which he believed would distinguish the present invention over the cited references.

The interview ended with the understanding the Applicants would file an Amendment and Response presenting the proposed amendments and arguments presented with the Interview Request Form and discussed during the interview, which was agreed would overcome the references being cited.